

REMARKS

Claim 1 has been amended to more particularly define the invention. The amendment of elements P¹ and P² finds support in the specification in original claim 5 and at page 3, lines 19-20 of the specification. The amendment of elements Z¹, Z² and Z³ finds support in the specification at page 4, lines 3-7. The amendment of elements L¹, L² and L³ finds support in the specification at page 6, line 23. As the limitations of claim 5 are now incorporated in claim 1, claim 5 has been cancelled.

In the Response filed February 7, 2008, applicant elected the species of Example 5, and indicated that the claims covering this species are claims 1, 2, 5, 7, 8, and 10. Accordingly, claims 3, 4, 6, and 9 now stand withdrawn, and are indicated as such in the foregoing listing of claims. The Office Action of April 15, 2008 considered only claims 1 and 8. It is respectfully submitted that claims 2, 7, and 10 also should be considered at this time. With regard to claim 2, the elected species of Example 5 is a diFab' conjugated molecule, i.e., one that contains two functionally active antibody fragments (Fab'). Claim 2 recites that Z¹, Z² and Z³ each can be, *inter alia*, a functionally active antibody fragment. Accordingly, claim 2 covers the elected species, and should be considered. Claim 7 recites the compound of claim 1 where n=0. As stated in the Response of February 7, 2008, the compound of Example 5 is one in which n=0. Accordingly, claim 7 should be considered at this time. Claim 10 is a pharmaceutical composition comprising the compound of claim 1, and therefore also should be considered at this time. Examination of claim 2, 7, and 10 is respectfully requested.

Written Description

Claims 1 and 8 stand rejected under 35 U.S.C 112 as lacking written description in the specification for the claim term "polymer residue." Claim 1 has been amended to delete this claim term and replace it with the more specific "residue of a polyethylene glycol (PEG) molecule." As noted above, this language finds support in the specification at page 3, lines 19-20 and in claim 5 as originally filed. With regard to the Examiner's assertion that "Applicant has not provided a description as to how the base molecule may be changed while remaining a residue," the Examiner's attention is respectfully directed to page 3, lines 12-14 of the specification, where the term "residue" is defined as "that portion of a polymer or of a

biologically active moiety which remains after it has undergone a substitution reaction as such terminology is familiar to the person skilled in the art.”

The Examiner’s discussion of the word “inhibitor” is not understood, as that word does not appear in the claims. Similarly, the discussion of “compounds having the general formulae set forth at page 5 of the specification,” “downstream products of 14 kD PLA2,” and “the first paragraph on page 13” are not understood in the context of the present application.

It is respectfully submitted that the amendment to claim 1 is sufficient to overcome the written description requirement.

35 USC §102

The rejection of the claims as anticipated by the Norman et al. reference is respectfully traversed. As the Examiner notes, in the Norman et al. reference the moieties P¹ and Z¹ are defined as 1-pentyl-1*H*-pyrrole-2,5-dione, and P² is defined as OC(CH₃)₃. Applicant respectfully maintains that neither of these compounds is a “polymer residue” of P¹ and P², nor a “biologically active moiety” of Z¹, all as originally recited in claim 1. Further, neither of these compounds is a “residue of a polyethylene glycol (PEG) molecule,” as P¹ and P² are defined in amended claim 1, nor is 1-pentyl-1*H*-pyrrole-2,5-dione a “polyclonal, monoclonal, multi-valent, multi-specific, humanized or chimeric antibody, a single chain antibody, a Fab fragment, a Fab’ or F(ab’)₂ fragment, or an epitope-binding fragment thereof” as Z¹ is defined in amended claim 1.

Claim element L¹ has been amended to be a maleimide residue, and therefore can not read on the methylene group of the Norman et al. reference.

With respect to element B², note that NHCO and CONH are not the same thing in the context of the presently claimed structures. In claim 1, where B² is –CONH–, the carbon atom will be bonded to V² and the nitrogen atom will be bonded Y². If B² were –NHCO– (a species not recited in the claim), the nitrogen atom would be bonded to V² and the carbon atom would be bonded to Y². Note that –CONH– and –NHCO– are recited as alternative species for elements A¹ and A², confirming that these are not the same in the context of the claimed structure. In the Office Action, the Examiner states that in the Norman et al.

reference the B² moiety is -NHCO-. In claim 1, the B² moiety is -CONH-. Accordingly B² of the reference is not the same as B² of the claim.

For the foregoing reasons, the Norman et al. reference does not anticipate claim 1, either as originally submitted or as presently amended.

CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance. Favorable consideration and a notice of allowance of claims 1, 2, 7, 8, and 10 are respectfully requested.

Respectfully submitted,

Date: July 9, 2008

By: /Sandra B. Weiss/

Sandra B. Weiss
Reg. No. 30,814
McDonnell Boehnen Hulbert & Berghoff LLP
300 S. Wacker Drive
Chicago, IL 60606
Phone: (312) 913-0001
Fax: (312) 913-0002